

**PROFESSIONAL ENGINEERS SECTION MEETING  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS  
MINUTES  
JUNE 24, 2004**

**PRESENT:** Nancy Sobczak (via telephone, for portions of the meeting), Lynda Farrar, Martin Hanson (arrived at 9:17 a.m.), Dale Paczkowski

**STAFF PRESENT:** Kimberly Nania, Bureau Director Health Services Professions; Colleen Baird, Legal Counsel; Pat Schenck, Program Assistant; Jan Bobholz, Credentialing Supervisor; Darwin Tichenor, Exam Specialist

**GUESTS:** Anne Brischke

**CALL TO ORDER**

Lynda Farrar, Chair, called the meeting to order at 9:05 a.m. A quorum of three members was present. A quorum of four members was present at 9:17 a.m.

**AGENDA**

**Amendments to agenda:**

- 2003 Assembly Bill 755 - Add to Item 10a.
- Electronic Meetings - Add to Item 10b.
- Add Three Requests for Reinstatements under Item 16. f.
- Additional Application Information - Add to Item 16. g. vi. Aduqna Fanuel

**MOTION:** Dale Paczkowski moved, seconded by Nancy Sobczak, to approve the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF APRIL 22, 2004**

**MOTION:** Dale Paczkowski moved, seconded by Nancy Sobczak, to approve the minutes of April 22, 2004. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATION BY DIVISION OF ENFORCEMENT  
JAMES WHITESIDE 04 ENG 008, LYNDIA FARRAR, BOARD ADVISOR**

Lynda Farrar, Board Advisor, discussed the proposed stipulation in the matter concerning James Whiteside 04 ENG 008.

**ADMINISTRATIVE REPORT**  
**KIMBERLY NANIA, BUREAU DIRECTOR OF HEALTH SERVICE PROFESSIONS**

Ms. Nania reported on the changes within the Department. Deputy Secretary Sandra Rowe replaced Mary Schlaefer as the Deputy Secretary. Steven Gloe replaced William Dusso, who has retired, as the Departments Legal Counsel. Patty Hoeft, the Division Administrator with Board Services will be leaving the Department in July.

Ms. Nania gave a brief background on the rule-changing process put in place by ACT 118. The Department will be forwarding rules to the Capitol once or twice during the fiscal year.

**BOARD ROSTER**

The Section made changes and updates to their E-Mail addresses and telephone numbers.

Remove Lynda Farrar's business phone number on website. On the Department's roster indicate that she is at the business phone number on Wednesdays only. (B) (608) 287-2020 Weds. only. The remainder of the Section members requested that the Department not list their e-mail address and home phone numbers on the Departments website.

**2004 MEETING DATES**

Next Section meeting: Friday, September 10, 2004.

**SUMMARY OF REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND  
ADMINISTRATIVE RULES AND PRESS RELEASES**

Noted.

**TRAVEL**  
**83<sup>RD</sup> ANNUAL MEETING FOR THE NCEES, RENAISSANCE**  
**CLEVELAND HOTEL, CLEVELAND, OH AUGUST 11-14, 2004**

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to designate Colleen Baird, Legal Counsel, as the Boards representative to attend the 83<sup>rd</sup> Annual Meeting for the NCEES, Renaissance, Cleveland, OH. August 11-14, 2004. Nancy Sobczak voted no. Motion carried.

**REPORT ON THE 2004 NCEES CENTRAL ZONE MEETING  
IN ST. LOUIS, MO ON MAY 20-22, 2004**

Mr. Lowrie attended the 2004 NCEES Central Zone Meeting in St. Louis, MO on May 20-22, 2004 and reported that it was very informative. Mr. Lowrie will give a report at the September 10, 2004 Section meeting.

The Board reviewed the issues from the 2004 NCEES Central Zone Meeting.

### **LEGISLATIVE/ADMINISTRATIVE RULES BARRIER FREE DESIGN**

Ms. Baird reported on the barrier free design rule A-E 4.08(1)(c). The purpose of the rule change was to remove (c) the barrier free design examination requires the applicant to demonstrate knowledge of relevant statutes, rules, and regulations relating to the needs of people with physical disabilities.

The Section questioned the status of the rules regarding state jurisdictional exam, and application 4.09 comity rule changes and the steps required to move the rules through the legislature. Ms. Nania explained the legislation process and timeframe involved in getting a rule through the legislature. The Section has completed its work on these rules and is waiting for the Department to complete and add a five state analysis, the federal piece, and plain language analysis to these rules to move them forward to the clearinghouse.

The Section questioned their request for a 12-year requirement. Ms. Baird will look for the scope statement.

### **A-E 4.09 ADMINISTRATIVE RULE REVISION FOR COMITY**

The Section discussed the open-book examination on Wisconsin Statutes and Administrative Code and the process of writing the questions for the examination. A-E 4.09 rule revision for comity has been waiting for the Department to complete and add a five state analysis, the federal piece, and a plain language analysis since April 15, 2004. When this has been completed and added the Department will forward it to the clearinghouse.

### **EDUCATION/EXAMINATION DISCUSSION OF JEFF RUSSEL/NCEES CHAPTER 445 (MASTERS DEGREE FOR LICENSURE)**

Mr. Jeff Russel was unable to meet with the Section today. The Section would like to postpone Mr. Russel's meeting until December 9, 2004 as the Section has a large agenda for the September 10, 2004 meeting.

### **REQUEST FOR CALCULATOR WAIVER – DAVID ESSER**

Darwin Tichenor reported on a request he received from an applicant for a calculator waiver. Mr. Tichenor updated the Section on the calculator restrictions put out by NCEES. NCEES has outlawed communicating or text editing calculators. The calculator in question is on the list of restricted calculators at the NCEES examination site.

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to deny the request to use the Ti-85 for the following reason, inconsistent with the Board's current adopted policy. Motion carried unanimously.

## **GEOLOGICAL ENGINEER EXAM – STATE OF ARIZONA**

Mr. Tichenor reported on the State of Arizona's statistically defensible professional examination for geological engineers and their request for Wisconsin's interest in using the examination and the potential number of applicants per administration.

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to respond to the State of Arizona, Board of Technical Registration that the Wisconsin Board has no interest in considering their geological examination, as a surrogate, for any currently accepted examination for registration in Wisconsin. Motion carried unanimously.

Colleen Baird will respond to the State of Arizona and answer the questions requested by the State of Arizona. This Item to be added to the Geologist Sections agenda as an informational item only.

## **REGISTRATION ISSUES**

Ms. Nania reported on the new blue license developed by the Department for temporary licenses and renewal licenses

## **TECHNOLOGY ISSUES IMPLICATIONS OF AB 755**

The Section discussed the use of electronic signatures and seals and the Boards rules regarding restrictions. The implications of AB 755 allows for electronic signatures. State agencies are requesting electronically signed planned documents and there is a multitude of technologies available to do this. This law primarily addresses financial and contractual law type signatures not signatures that attach liability for a service.

The Section discussed developing a policy, guideline, or rule to give Wisconsin credential holders to tell them how they should electronically sign a document.

A-E 2.02 (7) states that all seals or stamps affixed to drawings and specifications to be filed as public documents shall be original. No stickers or electronically scanned images shall be allowed. Electronic seals and signatures could be replicated and create a problem in determining which document is the actual signed and sealed document.

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to request the Bureau Director to prepare a report that addresses specifically how an engineering practitioner can legally sign and stamp a document electronically. Motion carried unanimously.

Dale Paczkowski and Martin Hanson will work with Jerry Lowrie as Board liaisons in preparing a report to address how an engineering practitioner can legally sign and stamp a document electronically.

## **CONDUCTING MEETINGS THROUGH ELECTRONIC MEANS**

The Section discussed supporting only one examination per year, due to budget constraints and the time involved in reviewing the volume of applications at each Section meeting.

Ms. Bobholz and the Section discussed streamlining the process of reviewing and approving applications for applicants who want to sit for the principles and practice examination by delegating those applicants who meet all of the experience criteria to Department staff and that staff only refer problem applications to the Section members for review. Ms. Bobholz will create a table with applicants experience record and staff will add up the time and mark a checklist for the Section member's use to review applications.

## **PRACTICE ISSUES**

The Section would like Mr. Lowrie to follow through on the previous request that the Department investigate the current credential status of the owner and employees of engineering approvals.com in PA because they are advertising plan approval in all states. NCEES wrote an article regarding this issue. They are currently under investigation in ten other states. NCEES has written an article addressing this issue.

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, that the Department investigates the current credential status of the owner and employees of engineering approvals.com in PA because they are advertising plan approval in all states. Motion carried unanimously.

## **MISCELLANEOUS CORRESPONDENCE/INFORMATION**

None.

## **NEW BUSINESS**

Lynda Farrar sent thank you notes to everyone that had signed the attendance list at the Professional Engineering Section meeting held at UWP-Engineering School on April 22, 2004.

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to request that Jerry Lowrie acquire any publicity from the meeting held at UWP Platteville Engineering School on April 22, 2004, and that he writes an article for the Regulatory Digest newsletter regarding the UWP Platteville meeting. Motion carried unanimously.

## **BOARD MEMBER ACTIVITY**

None

## **OTHER**

None

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT**

**CLOSED SESSION**

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.; to consider licensure or discipline (s. 19.85(1)(b), Stats.; to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats. Motion carried by roll call vote: Lynda Farrar-yes, Martin Hanson-yes, Dale Paczkowski-yes,

Open Session recessed at 11:44 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to reconvene into Open Session at 3:46 p.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF  
VOTING IS APPROPRIATE**

**MONITORING REPORT**

None.

**CASE CLOSINGS**

None.

**STIPULATIONS**

**JAMES W. WHITESIDE 04 ENG 008**

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation in the matter concerning **James W. Whiteside 04 ENG 008**. Lynda Farrar, Board Advisor. Motion carried.

**ADMINISTRATIVE WARNINGS**  
**99 ENG 008**

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to accept the administrative warning as written for case **99 ENG 008 Orville E. Arnold**. Motion carried unanimously.

**REINSTATEMENTS**  
**RICHARD M. SEILER**

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to deny Richard M. Seiler's request for reinstatement and request that he must take and pass the principles and practice examination, submit proof of 6 months of Wisconsin experience, resume, letters from employers verifying employment dates and job description since license has expired in Wisconsin. Motion carried unanimously.

**STEPHEN G. HAVENS**

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to deny Stephen G. Haven's request for reinstatement and request that he must take and pass the principles and practice examination, submit proof of 6 months of Wisconsin experience, resume, letters from employers verifying employment dates and job description since his license has expired in Wisconsin. Motion carried unanimously.

**EDGAR F. JACOBI**

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to deny Edgar F. Jacobi's request for reinstatement and request that he must take and pass the principles and practice examination, submit proof of 6 months of Wisconsin experience, resume, letters from employers verifying employment dates and job description since license has expired in Wisconsin. Motion carried unanimously.

**REQUEST FOR CLASS 1 HEARINGS**  
**JOAN BONACK**

Joan Bonack appeared before the Section regarding denial of her eligibility application to sit for the principles and practice of engineering examination.

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to deny Joan Bonack application to sit for the principles and practice examination, as she is short five months on the experience requirement. Motion carried unanimously.

**BRIONNE BISCHKE.**

Brionne Bischke appeared before the Section regarding denial of his eligibility application to sit for the principles and practice of engineering examination.

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to approve Brionne Bischke's application to sit for the principles and practice of engineering examination. Motion carried unanimously.

**JAMES EDWARDS III**

James Edwards III appeared before the Section regarding denial of his application for a professional engineer license.

**MOTION:** Dale Paczkowski moved, seconded by Lynda Farrar, to grant a professional engineer's license to Mr. James Edwards III. Motion carried unanimously.

**JANE M. OLSON**

Jane M. Olson appeared before the Section regarding denial of her eligibility application to sit for the principles and practice of engineering examination.

**MOTION:** Dale Paczkowski moved, seconded by Lynda Farrar, to approve Jane M. Olson's application to sit for the principles and practice of engineering examination. Motion carried unanimously.

**THOMAS H. KOEPP**

Thomas H. Koepp appeared before the Section with additional information in support of his application for a professional engineer credential.

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to grant a professional engineers license to Thomas H. Koepp. Motion carried unanimously.

**ADUQNA FANUEL**

The Section reviewed additional information regarding denial of eligibility application to sit for the principles and practice of engineering examination.

**MOTION:** Dale Paczkowski moved, seconded by Martin Hanson, to approve Aduqna Fanuel's application to sit for the principles and practice of engineering examination. Motion carried unanimously.



## **APPLICATION REVIEW**

### **APPLICATIONS REVIEWED ON JUNE 24, 2004**

The Section took the following action on applications:.

- MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to approve, licensure by approved degree plus eight years experience. Motion carried unanimously.
- MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to approve the applications as indicated below. Motion carried unanimously.
- MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to accept denials as indicated below. Motion carried unanimously.
- MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to approve applications to sit for the Principles and Practice Exam as indicated below.  
Lynda Farrar abstained on Jason B. Oelke. Motion carried.
- MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to deny applications to sit for the Principles and Practice Exam as indicated below. Motion carried unanimously.

### **FOR REGISTRATION AS A PROFESSIONAL ENGINEER**

1. **By 16 Hour Written Examination**
  - a. Granted
    1. Baker, Arthur D
2. **By Approved Degree Plus 8 Years Experience**
  - a. Granted
    1. Archiquette, Leland D
    2. Balstad, Eric A
    3. Berry, Henry G
    4. Danes, Joseph F
    5. Gantz, Paul F
    6. Garcia, Taurino C
    7. Gupta, Venu J
    8. Hewitt, Scott A
    9. Slettvedt, Kurt A
  - b. Deny
    1. Mazurkiewicz, Daniel J
    2. Rivera-Torres, Pedro J

### **FOR PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION**

- a. Granted
  1. Boruch, Allen L
  2. Douglas, Jamie C
  3. Erickson, Christopher L

4. Esser, David K
5. Gregg, Josh A
6. Haefs, Matthew W
7. Harris, Ababi
8. Hinds, Jeremy L
9. Hungness, Derek J
10. Knudson, Jeffrey D
11. Manegold, Mindy R
12. Oelke, Jason B
13. Onyirimba, Paully K
14. Sanders, Todd J
15. Shrestha Amatya, Sunita M
16. Smith, Richard A
17. Winrick, David L
18. Winters, Jared F

**b. Deny**

1. Golekoh, Winston C
2. Weatherford, Marion H

**EXAMINATION ISSUES**

None

**SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

Kimberly Nania informed the Section that Class 1 Hearings be conducted in open session and deliberated upon in closed session.

**ADJOURNMENT**

**MOTION:** Martin Hanson moved, seconded by Dale Paczkowski, to adjourn the meeting at 3:55 p.m. Motion carried unanimously.